

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JENNIFER WEST,)
as the personal representative of the)
Estate of RONALD WEST, JR., deceased,)
Plaintiff,)
v.)
UNION PACIFIC RAILROAD)
COMPANY,)
Defendant.)

Civil Action No. 8:17-cv-00036

ORDER

This matter is before the Court on the parties' Stipulation and Joint Motion for Order Directing Disclosure of Protected Health Information. ([Filing No. 32.](#)) The motion is granted.

Accordingly,

IT IS ORDERED as follows:

1. This is an action in which Jennifer West, as personal representative of the estate of Ronald West, Jr., deceased, alleges that workplace exposure to certain substances caused the decedent Ronald West, Jr. ("Decedent") to develop cancer. The Court finds that because the Decedent's physical condition is at issue, Decedent's past medical condition is relevant to the claims and defenses in this action. Plaintiff, in claiming damages for pain and suffering, has also put Decedent's mental health condition at issue.
2. The parties and their attorneys are expressly authorized to request and receive by subpoena or release Decedent's health information from all of Decedent's mental and medical health care providers and health insurance companies.
3. The health information the parties may receive includes, but is not limited to, the following: Insurance records; patient charts, medical records, mental health records, submissions or reports to insurance companies, letters or reports to attorneys, correspondence, reports,

memoranda, notes, data, fact sheets, prescription records, x rays, pathology reports, laboratory specimens, slides, radiology films and reports, billing records and invoices, and any other documents generated by any facility or received by any facility from all sources relating to the Decedent.

4. Any person or entity in possession of Decedent's health information is hereby ordered to produce such health information in response to subpoenas or releases issued by the attorneys representing Plaintiff or Defendant in this litigation.

Dated this 14th day of November, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge